

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.930 OF 2006
IN
CRIMINAL APPLICATION NO.6048 OF 2005
IN
CRIMINAL APPEAL NO.843 OF 2001

Manda Gajanan Shedge nee
Manda Kamalakar Sharma ...Applicant.

Vs.

The State of Maharashtra ...Respondent.

Mr.Satish Ajnalkar, Advocate for the applicant.

Mr.A.R.Patil, A.P.P., for the State.

CORAM : SMT.RANJANA DESAI AND
SMT.V.K.TAHILRAMANI, JJ.

DATED : OCTOBER 04, 2006.

P.C. :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.

2. On 20th October, 2005 Division Bench of this Court passed the following order in Criminal Application No.6048 of 2005 in Criminal Appeal No.843 of 2001 :

"(i). Respondent No.1 shall make an

application to the Registrar of the Sessions Court at Mumbai praying that the applicant-Shantaram Babu Ganave be discharged as surety and in his place, Smt.Shantidevi Baban Sonar be accepted as surety in the sum of Rs.15,000/-.

- (ii) The Registrar of the Sessions Court, Mumbai may then after making necessary enquiry and if found that Smt.Shantidevi Baban Sonar is solvent and proper surety, discharge the applicant and in his place substitute Smt.Shantidevi Baban Sonar as surety.

. Application disposed of accordingly"

3. The applicant has now prayed that she may be permitted to furnish any other surety in place of Smt.Shantidevi Baban Sonar and discharge earlier surety Shantaram Babu Ganave because Smt.Shantidevi Sonar has refused to stand surety. Since ultimately it is for the Registrar of Sessions Court, Mumbai to find out whether the surety is solvent or not we see no reason to reject the present application.

4. In the circumstances of this case, if any person is prepared to stand as surety the applicant along with that person may approach the Registrar of

the Sessions Court at Mumbai with an application to that effect. The Registrar of Sessions Court at Mumbai shall then make necessary enquiry and if he finds that the person who wants to stand as surety is solvent and proper, discharge Shantaram Babu Ganave who is the earlier surety, and substitute the new surety in his place. Earlier order dated 20.10.2005 stands modified to this effect.

5. Criminal application is disposed of in aforestated terms.

[SMT.RANJANA DESAI, J.]

[SMT.V.K.TAHILRAMANI, J.]